



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 51 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/24/0475**

**Re: Property at Flat 1/1, 7 Wellmeadow Street, Paisley, PA1 2EF (“the Property”)**

**Parties:**

**Mr Azher Hussain, 27 Slaney Road, Walsall, West Midlands, WS2 9AF (“the Applicant”)**

**Mr Ian Young Wilson, Flat 1/1, 7 Wellmeadow Street, Paisley, PA1 2EF (“the Respondent”)**

**Tribunal Members:**

**Nairn Young (Legal Member) and Ann Moore (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that**

- Background

This is an application for an order for payment of rent arrears alleged to be owed by the Respondent in terms of his private residential tenancy agreement with the Applicant. It called for case management discussion (‘CMD’) at 2pm on 6 September 2024, by teleconference. The Applicant was represented on the call by Ms McNiven of Harper MacLeod, solicitors. The Respondent was not on the call or represented. The commencement of the CMD was delayed by 10 minutes in case he was experiencing any technical difficulty; but there remained no contact from him.

A copy of the application and intimation of the CMD, including an application to amend the sum sought to £9,899.84, was served on the Respondent by sheriff officers on 5 August 2024. The Tribunal therefore concluded that he did not intend to oppose the proposed amendment or the application.

- Findings in Fact

The Tribunal considered the following unopposed facts as relevant to its decision:

1. The Applicant lets the Property to the Respondent in terms of a private residential tenancy agreement with a start date of 18 June 2018.
2. In terms of the tenancy agreement, rent at a rate of £100 per week is to be paid on a monthly basis.
3. On the date of the CMD, the Respondent remained in arrears of rent to at least the sum of £9,899.84.

- Reasons for Decision

4. The Tribunal granted the application to amend the sum sought, there being no opposition to that. Thereafter, it granted the order for payment of the sum as amended, on the basis that the Respondent owes that sum to the Applicant.

- Decision

**Order granted for payment by the Respondent to the Applicant of the sum of NINE THOUSAND, EIGHT HUNDRED AND NINETY-NINE POUNDS AND EIGHTY-FOUR PENCE STERLING (£9,899.84).**

### Right of Appeal

In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a

point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.

**N Young**

06/09/2024

---

Legal Member/Chair

---

Date